

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 291, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF NEUFCHATEL CHEESE.

On or about April 3, and May 25, 1909, James L. Kraft, Charles H. Kraft, and Fred Kraft, copartners, doing business under the name and style of J. L. Kraft & Bros., Chicago, Ill., shipped from the State of Illinois to the State of New York and the State of Missouri, respectively, consignments of a food product labeled: "Blue Ribbon Brand Neufchatel Style Cheese J. L. Kraft & Bros., Chicago, Ill." Samples from these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analysts and reports thereon that the product was adulterated and misbranded within the meaning of the Food and Drugs Act, June 30, 1906, the Secretary of Agriculture afforded J. L. Kraft & Bros., and the dealers from whom the samples were purchased, opportunities for hearings. As it appeared after hearings held that the said shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General, with statements of the evidence upon which to base prosecutions. In due course, criminal informations were filed in the District Court of the United States for the Northern District of Illinois, charging the above shipments and alleging that the product was adulterated, in that the said cheeses were made out of skimmed milk, whereas they should have been made from whole milk, and that the fatty substances of whole milk had been abstracted; and was misbranded, in that it was labeled "Blue Ribbon Brand Neufchatel Style Cheese," which statement was false, misleading, and deceptive and calculated to deceive and mislead the purchaser into the belief that the said product was of the kind and quality of genuine Neufchatel cheese, which should be made of whole milk, when, in fact, the said product was made of skimmed milk from which the fatty substances had been abstracted; and was further misbranded, in that

the label bore the words "Neufchatel Cheese" in large type and the word "style" in small, inconspicuous type, whereby the said product was so labeled and branded as to purport to be, and to deceive and mislead the purchaser into believing it to be, a foreign product of well known superior quality, when, in fact, said article was wholly a domestic product, and a product greatly inferior to genuine Neufchatel cheese.

On January 25, 1910, the defendants entered a plea of guilty to each of these informations, and the court imposed upon them a fine of \$10 on each information.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *April 14, 1910.*

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